



COMMONWEALTH of VIRGINIA
Office of the Attorney General

William C. Mims
Attorney General

900 East Main Street
Richmond, Virginia 23219
804 - 786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

May 5, 2009

Lisa R. Hahn
Executive Director
Virginia Board of Long-Term Care Administrators
9960 Mayland Drive, Suite 300
Richmond, VA 23233-1463

RE: 18VAC95-20-10 et seq., Regulations Governing the Practice of Nursing Home Administrators
18VAC95-30-10 et seq., Regulations Governing the Practice of Assisted Living Facility Administrators

Dear Ms. Hahn:

You have asked whether the proposed changes to the above-cited regulations are exempt from the operation of Article 2 of the Administrative Process Act.

The proposed amendments, to conform regulations to changes in the Code pursuant to Chapter 687 of the 2009 Acts of the Assembly, are exempt in accordance with § 2.2-4006 A 4, which provides an exemption for regulations: "*Necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.*"

Having satisfied all legal requirements, you may proceed to take the necessary steps to promulgate this exempt regulation with the Registrar of Regulations.

Sincerely,

A handwritten signature in blue ink that reads "Amy Marschean".

Amy Marschean
Senior Assistant Attorney General

c: Elaine J. Yeatts, Agency Regulatory Coordinator
Department of Health Professions